

**Security Council**

Distr.: General
6 July 2007

Original: English

**Letter dated 6 July 2007 from the President of the Security Council
to the Secretary-General**

I have the honour to inform you that your letter dated 25 June 2007 (S/2007/412), concerning security and operational issues related to the work of the United Nations Assistance Mission for Iraq, has been brought to the attention of the Security Council.

By way of a statement made by the President of the Security Council to the press on 13 June 2007 on their behalf, the members of the Security Council expressed their appreciation for ongoing United Nations support in Iraq and encouraged continued and robust United Nations assistance in support of the Iraqi people and Government.

The Council hereby confirms that it welcomes and supports the announced immediate planning for the construction of a new United Nations compound in Baghdad and has no objection to your intention to proceed with a request to the General Assembly for the necessary funds, in accordance with the established procedure.

(Signed) **Wang Guangya**
President of the Security Council



**Security Council**

Distr.: General
9 July 2007

Original: English

Letter dated 6 July 2007 from the Secretary-General to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 1 to 31 May 2007 (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) **Ban Ki-moon**

Annex

**Letter dated 5 July 2007 from the Secretary General of the
North Atlantic Treaty Organization to the Secretary-General**

In accordance with paragraph 20 of Security Council resolution 1244 (1999), I attach a report on the operations of the Kosovo Force covering the period from 1 to 31 May 2007. I would appreciate your making this report available to the members of the Security Council.

(Signed) Jaap de Hoop Scheffer

Enclosure**Monthly report to the United Nations on the operations of the Kosovo Force**

1. This report covers the period from 1 to 31 May 2007.
2. As at 31 May 2007, the total number of troops in theatre was 15,713. This includes 2,476 troops from non-NATO countries.
3. There was no change to the status of partner/non-NATO country contributions.

Political situation

4. Kosovo Albanian leaders welcomed the formal introduction of a draft resolution in the Security Council on 31 May. Neither the formation of a new Serbian Government on 15 May 2007 nor the creation of a new Ministry for Kosovo in Belgrade, headed by Slobodan Samardžić, led to any major political reactions in Kosovo.
5. The Movement for Self-Determination continued its low-scale activity with some demonstrations throughout the month.

Security situation

6. No incidents were reported over the period.
7. No incidents of violence or threats against the Kosovo Force (KFOR) were recorded in May 2007.
8. A total of 412 incidents relating to drugs (19), counterfeit currency (29), smuggling (15), explosions (9), miscellaneous criminal incidents (117), illegal weapons possession (77), weapons and ammunitions found (33) and unexploded ordnance (113) were reported during this period, compared to 300 in the previous month.

KFOR operations

9. The operational tempo of KFOR framework operations remained calm during May. KFOR continues to be fully prepared to react to potential disturbances Kosovo wide. During the past four weeks, KFOR conducted 139 search operations, 10,449 vehicle checks and 225 joint activities. The German Operational Reserve Force battalion redeployed at the beginning of May while the Italian Operational Reserve Force battalion has started its deployment.

Compliance

10. There was no meeting of the Disciplinary Board in May 2007.

Kosovo Protection Corps

11. There was no recruitment campaign for the Kosovo Protection Corps (KPC) in May 2007.
12. The current active personnel establishment is 2,934. There were 201 (6.84 per cent) active ethnic minority members (174 males, 27 females), the same figures as

the previous month. There are 113 open slots left in the active personnel establishment list. The reserve personnel establishment is the same as last month. The Multinational Task Force and KFOR headquarters Inspectorate of KPC conducted 81 roll calls; 1,551 (59.93 per cent) out of 2,588 KPC members were on duty in their barracks and 494 (19.09 per cent) were on duty elsewhere. The total of 2,045 active duty strength (duty in barracks and duty elsewhere) shows that an average of 79.02 per cent of KPC personnel attended work schedules. The other KPC members were reported as follows: 185 (7.15 per cent) were on leave, 305 (11.79 per cent) were sick, training elsewhere, on courses, temporarily transferred or performing activities outside barracks, 53 (2.05 per cent) were absent without permission.

13. KFOR continues to support UNMIK in training KPC on civilian and non-political aspects. The officer career course phase 2 is ongoing. The officer basic course that started on 12 March with 28 members will finish on 1 June with 27 graduates. Twelve members graduated from the basic training course. English language courses finished on 7 May. Currently, KPC is waiting for a donor in order to increase the number of English language classes for the rest of 2007. All other training will continue as planned. On 29 May, the key leaders seminar was held at KPC Training and Doctrine in Pristina.

14. During May there were 15 ceremonies in which 322 KPC members and 250 civilians were involved. No incidents were reported.

Conclusion

15. The overall situation in Kosovo is calm, but political uncertainty related to the ongoing status process and high expectations may raise some tension in the near term. KFOR is prepared for all contingencies and stands ready to contribute towards maintaining safety and security in Kosovo. Acts of violence are often the result of business disputes or personal vendettas, and are not generally ethnically motivated. The threat level against UNMIK and other international community facilities remains medium, the threat level against KFOR is low.

**Security Council**

Distr.: General
9 July 2007

Original: English

Letter dated 6 July 2007 from the Secretary-General to the President of the Security Council

I have the honour to refer to Security Council resolution 1761 (2007) concerning Côte d'Ivoire. In paragraph 1 of the resolution, the Council decided to extend the mandate of the Group of Experts until 31 October 2007 and requested me to take the necessary administrative measures to appoint new members, as necessary, to the Group.

Accordingly, I wish to inform you that I have appointed Claudio Gramizzi (Italy), who successfully served as a consultant and acting arms expert during the Group's previous mandate, as the arms expert of the Group. I have also reappointed the four experts who served during the previous mandate of the Group to continue as experts during the current mandate. The composition of the Group of Experts is as follows:

Grégoire Bafouatika, Congo (aviation)

Lipika Majumdar Roy Choudhury, India (finance)

Abdoul Wahab Diakhaby, Guinea (diamonds)

Claudio Gramizzi, Italy (arms)

Oumar Dieye Sidi, Niger (customs)

I have designated Mr. Oumar Dieye Sidi to continue serving as Coordinator of the Group of Experts. I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) **Ban Ki-moon**



**General Assembly
Security Council**

Distr.: General
6 July 2007
English
Original: French

General Assembly
Sixty-first session
Agenda items 98 and 100

Security Council
Sixty-second year

Crime prevention and criminal justice

Measures to eliminate international terrorism

**Letter dated 12 June 2007 from the Permanent Representative of
Burkina Faso to the United Nations addressed to the President of
the General Assembly**

I have the honour to enclose herewith a copy of the Ouagadougou Declaration on the implementation of the international counter-terrorism instruments.

The Declaration was adopted at the conclusion of the Fourth Conference of Ministers of Justice of the French-speaking African Countries, which was held from 20 to 22 March 2007 in Ouagadougou, Burkina Faso.

Organized jointly by the Government of Burkina Faso and the United Nations Office on Drugs and Crime, the Ouagadougou Conference was intended to offer the Ministers of Justice of the French-speaking African countries an opportunity to assess the progress made by their countries in ratifying and implementing the international legal instruments in the area of counter-terrorism, including the submission of their national reports to the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

On completing its work, the Conference adopted a series of recommendations and the enclosed Declaration, and recommended that the latter should be brought to the attention of the Member States of the United Nations and issued as an official document of the General Assembly at its sixty-first session.

I should therefore be grateful if you would bring the Declaration to the attention of the Member States and have it issued as a document of the General Assembly.

(Signed) Michel **Kafando**
Ambassador
Permanent Representative



Annex to the letter dated 12 June 2007 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the General Assembly

Fourth Conference of Ministers of Justice of the French-speaking African Countries on the implementation of the international counter-terrorism instruments

**Ouagadougou, Burkina Faso
20-22 March 2007**

Ouagadougou Declaration

On 22 March 2007,

We, the Ministers of Justice and Heads of Delegation of the following countries: Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Rwanda, Sao Tome and Principe, Senegal, Togo and Tunisia,

Gathered together at the Fourth Conference of Ministers of Justice of the French-speaking African Countries on the ratification and implementation of the universal counter-terrorism instruments, held from 20 to 22 March 2007 in Ouagadougou, Burkina Faso,

And in the presence of the United Nations, represented by the United Nations Office on Drugs and Crime, the Counter-Terrorism Committee Executive Directorate and the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (hereinafter the "1267 Committee"), as well as the following international and regional organizations: The Economic Community of Central African States, the Economic Community of West African States, Interpol, the League of Arab States, the International Organization of la Francophonie, the African Union, represented by the African Centre for the Study and Research on Terrorism, and the European Union,

Strongly reiterating the condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security in accordance with the purposes and principles enshrined in the Charter of the United Nations,

Welcoming the adoption by the General Assembly on 4 December 2006 of the United Nations Global Counter-Terrorism Strategy and the related plan of action (A/RES/60/288),

Recognizing that international cooperation is essential for preventing and combating terrorism in accordance with the obligations imposed by international law, in particular the Charter of the United Nations and the relevant international

conventions and protocols, especially those instruments relating to human rights, the rights of refugees and international humanitarian law,

Noting with satisfaction the provisions of United Nations General Assembly resolution 61/40 of 4 December 2006, which "requests the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building",

Welcoming the role of the Counter-Terrorism Committee Executive Directorate as a facilitator of technical assistance and the role of the 1267 Committee in combating threats to international peace and security so that the French-speaking African countries can comply with their obligations arising from the universal counter-terrorism instruments,

Noting the progress attained in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 and the Working Group established by the Sixth Committee during the sixty-first session of the General Assembly, and welcoming continuing efforts to that end,

Welcoming also the issuance of the Cairo Declaration, the Port Louis Declaration and the Sharm El-Sheikh Declaration, adopted on 4 September 2003, 27 October 2004 and 9 February 2006, respectively, during the Conferences of Ministers of Justice of the French-speaking African Countries on the ratification and implementation of the universal counter-terrorism instruments, as documents A/C.3/58/4, A/59/811 and A/60/845 of the United Nations General Assembly,

1. Warmly congratulate the French-speaking African countries which, since the Sharm El-Sheikh Declaration, have ratified universal counter-terrorism instruments and submitted their reports on the implementation of the measures set out in Security Council resolutions 1373 (2001), 1624 (2005) and 1735 (2006) concerning the sanctions regime against Al-Qaida and the Taliban to the Counter-Terrorism Committee and the 1267 Committee;
2. Recommend that the French-speaking African countries which are not yet parties to the universal counter-terrorism instruments should ratify or accede to them as soon as possible;
3. Call on all the French-speaking African countries to implement, without delay, the United Nations Global Counter-Terrorism Strategy in all its aspects at the international, regional, subregional and national levels, including through the mobilization of resources and expertise;
4. Call on the French-speaking African countries to adopt the necessary legislative and regulatory measures, including the establishment of inter-ministerial coordination committees, for the effective implementation of the universal counter-terrorism instruments and the Security Council resolutions on counter-terrorism,

with a view to combating terrorism and strengthening international cooperation in criminal matters in this field;

5. Encourage the French-speaking African countries to submit their reports on the implementation of the measures set out in Security Council resolutions 1373 (2001), 1624 (2005) and 1735 (2006) concerning the sanctions regime against Al-Qaida and the Taliban to the Counter-Terrorism Committee and the 1267 Committee; and invite the countries that have not yet submitted their reports to attend the subregional workshops on the preparation of those reports that will be organized jointly by those Committees and the United Nations Office on Drugs and Crime in 2007;

6. Request the United Nations Secretary-General's Task Force to provide the French-speaking African countries, in an integrated and concerted manner, with the technical assistance they require to implement the United Nations Global Counter-Terrorism Strategy;

7. Request the United Nations Office on Drugs and Crime, in cooperation with the International Organization of la Francophonie and other competent international, regional and subregional organizations, to continue to provide the French-speaking African countries with the technical assistance required for the ratification and implementation, at the legislative level, of the universal counter-terrorism instruments and for the training of criminal justice officials in international cooperation in criminal matters related to counter-terrorism;

8. Request the United Nations Office on Drugs and Crime, in cooperation with the Counter-Terrorism Committee and the 1267 Committee, to continue providing the French-speaking African countries with the technical assistance required to draft their reports through, inter alia, the holding of subregional workshops in 2007;

9. Urge the United Nations Office on Drugs and Crime to pursue its cooperation with the International Organization of la Francophonie, within the framework of the Bamako Declaration of November 2000 and the Saint Boniface Declaration of May 2006, and to continue to work with the International Organization of la Francophonie to develop technical assistance tools, including model legislation, legislative guides and training manuals for criminal justice officials;

10. Plan to elaborate, on the basis of model United Nations treaties, a draft international instrument on extradition and mutual legal assistance for the French-speaking African countries; and request the United Nations Office on Drugs and Crime and the International Organization of la Francophonie to provide all the necessary technical assistance to that end;

11. Invite the French-speaking African countries to conduct an annual review of the progress made in the ratification, accession to and rapid implementation of the universal counter-terrorism instruments and to submit their reports to the Counter-Terrorism Committee and the 1267 Committee within the required deadlines;

12. Demand that all the necessary attention should be devoted to conditions conducive to the spread of terrorism;

13. Take note of and express our appreciation for the offer made by the Government of the Kingdom of Morocco to host the Fifth Conference of Ministers of Justice of the French-speaking African Countries;

14. Invite the President of the Conference to bring this Declaration to the attention of the United Nations General Assembly at its sixty-first session;

15. Express our sincere gratitude to the Government of Burkina Faso for having hosted and jointly organized, in Ouagadougou, on 20 to 22 March 2007, the Fourth Conference of Ministers of Justice of the French-speaking African Countries on the implementation of the universal counter-terrorism instruments, as well as to the United Nations Office on Drugs and Crime and the International Organization of la Francophonie for having jointly organized the Conference.



**General Assembly
Security Council**

Distr.: General
6 July 2007

Original: English

General Assembly
Sixty-first session
Agenda item 16
The situation in Afghanistan

Security Council
Sixty-second year

Identical letters dated 22 June 2007 from the Permanent Representative of Japan to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to transmit the Co-Chair's summary of the Conference on Disbandment of Illegal Armed Groups for the Stabilization of Afghanistan: Coordination with Police Reform, held in Tokyo on 21 June 2007 (see annex). The meeting was organized under the co-chairmanship of Japan, Afghanistan and the United Nations Assistance Mission in Afghanistan.

I should be grateful if the present letter and its annex could be published as a document of the General Assembly, under agenda item 16, and of the Security Council.

(Signed) Kenzo Oshima
Permanent Representative of Japan to the United Nations



**Annex to the identical letters dated 22 June 2007 from the
Permanent Representative of Japan to the United Nations
addressed to the President of the General Assembly and the
President of the Security Council**

Co-Chair's summary

**Conference on Disbandment of Illegal Armed Groups for the
Stabilization of Afghanistan: Coordination with Police Reform**

21 June 2007

1. The Conference on Disbandment of Illegal Armed Groups for the Stabilization of Afghanistan: Coordination with the Police Reform was held on 21 June 2007 in Tokyo, under the co-chairmanship of Japan, Afghanistan and the United Nations Assistance Mission in Afghanistan.
2. The Conference was inaugurated by H.E. Mr. Taro Aso, Minister for Foreign Affairs of Japan. The opening statement was made by H.E. Mr. Mohammad K. Khalili, Vice President of the Islamic Republic of Afghanistan, followed by H.E. Mr. Tom Koenigs, Special Representative of the Secretary-General for Afghanistan. Representatives from 13 States and 6 international organizations attended the Conference.
3. The participants in the Conference reaffirmed their strongest commitment to the stability and reconstruction of Afghanistan, and stressed their support for Afghanistan's nation-building efforts under its ownership.
4. The participants examined the current situation of disbandment and appreciated the progress achieved to date in accordance with President Karzai's firm commitment demonstrated at the Second Tokyo Conference on Consolidation of Peace in Afghanistan held on 5 July 2006. In this regard, they welcomed the launch of a new action plan of disbandment of illegal armed groups and the process of establishing a disbandment unit inside the Ministry of the Interior, whose responsibilities include disbandment-related activities, weapons registration and the regulation of security companies. The participants agreed on the necessity to secure personnel, infrastructure, equipment and a budget that would allow the disbandment division to function in a sustainable and independent manner, and reaffirmed that the international community would support such efforts. They commended Afghanistan's national ownership in the disbandment programme as reflected in those developments.

**Coordination between disbandment of illegal armed groups, police reform and
other security sector reforms**

5. The participants discussed the challenges facing the disbandment operations, such as security, narcotics, poverty, unemployment and, above all, the weak institutional capacity of law enforcement and security institutions. They reaffirmed the importance of a comprehensive approach to implementation and agreed to closely coordinate disbandment, police reform and other security sector reform activities. They encouraged the Government of Afghanistan to:

- Focus attention on coordination between disbandment and the police reform, while putting emphasis on more visible effective efforts in such areas as public information, the training of policemen and the strengthening of provincial and district administration
 - Carefully formulate an effective enforcement plan among the national and international agencies, with the Afghan National Police playing a leading role in producing and implementing such a plan, to be strongly supported by NATO-ISAF
 - Quickly deploy additional police forces in areas where disbandment has been enforced, so as to consolidate the gains achieved through the programme and allow development activities to commence
 - Take strong measures against Government officials engaged in drug trafficking and other criminal activities through the relevant mechanisms, such as the Advisory Panel on Senior Appointments and the Ministry of the Interior selection boards
 - De-register political parties and disqualify parliamentarians found to maintain armed wings or groups
 - Formulate a better mechanism of information-sharing among the security agencies and make efforts to achieve better coordination and collaboration with counter-narcotics.
6. The participants called upon neighbouring countries to contribute to preventing smuggling of weapons into Afghanistan and reaffirmed the necessity of establishing an appropriate strategy in this regard in an urgent manner.
7. The participants appreciated the initiatives taken by the United States of America, the European Union, Canada and Norway in deploying police mentors and expressed the need for additional mentors, particularly at the provincial and district levels.
8. The participants agreed upon the need for consistent support for disbandment efforts from NATO-ISAF and its contributing countries.
9. The participants furthermore recommended that attention be paid to the linkages between disbandment and rule of law issues during the Rome conference, to be held on 3 July 2007.

Reintegration and the role of the community

10. The participants pointed out the importance of a smooth transition from disbandment to development, welcomed the launch of disbandment projects in Kapisa, and encouraged the Government of Afghanistan to strive for the following:
- Fully scrutinizing the socio-economic factors before, during and after disbandment and making the utmost effort to integrate those who surrender their weapons and accept the authority of Government of Afghanistan into civilian life
 - Enhancing the visibility of the Afghan Government's efforts and seriousness in disbandment through establishing all district development assemblies, expeditiously, and implementing development projects smoothly in the areas

on which the Disarmament and Reintegration Commission has put great emphasis

- Establishing a mechanism to commend and encourage governors and/or local government officials in their endeavours to implement disbandment
- Strengthening the existing coordination between disbandment and the national reconciliation programme (programme Takhim-e Solh) for weapons collection, reintegration and other relevant efforts
- Ensuring that senior government officials support the programme through visits to the provinces and districts
- Ensuring that community needs are met through decentralized decision-making during the identification of disbandment projects through the district development assemblies
- Ensuring transparency in the implementation of the programme and engaging civil society in public education, reintegration and monitoring.

11. The participants reaffirmed the necessity of empowering the Disarmament and Reintegration Commission and the disbandment provincial committees. The participants recommended investing the necessary resources in and extending logistical support through existing programmes, such as the Afghanistan stability programme and the New Beginnings Programme. The participants further welcomed the establishment of the outreach fund for provincial governors and called upon donors to accelerate the process.

Partnership of the Afghanistan Government and the international community

12. The representatives of the international community reaffirmed their support for disbandment, including the transition to full Afghan ownership.

13. The participants agreed upon the need to share information so as to ensure accurate targeting of illegal armed groups and prioritization of those actively involved in drug trafficking and other criminal activities.

14. The participants expressed their deep appreciation to the Government of Japan for hosting the Conference and welcomed its continued support for the Afghan-led disbandment process.



**General Assembly
Security Council**

Distr.: General
9 July 2007

Original: English

**General Assembly
Sixty-first session
Agenda item 19
Question of Cyprus**

**Security Council
Sixty-second year**

**Letter dated 6 July 2007 from the Permanent Representative of
Turkey to the United Nations addressed to the Secretary-General**

I have the honour to transmit herewith a letter dated 6 July 2007 addressed to you by His Excellency Mr. Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly under agenda item 19, and of the Security Council.

(Signed) Baki İlkin
Ambassador
Permanent Representative



Annex to the letter dated 6 July 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 15 May 2007 addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/61/913-S/2007/288). In the face of gross misrepresentations and distortions contained in that letter, I feel compelled to set the record straight.

The Greek Cypriot representative, in his letter, is trying to portray the Cyprus question as one of "invasion" and "occupation" by Turkey, in an attempt to absolve the Greek Cypriot side from its grave responsibility in the creation and the continuation of the dispute. At this point, it should be underlined that none of the Security Council resolutions on Cyprus, including the ones mentioned in the letter, refer to the legitimate Turkish intervention in Cyprus as "invasion" and "occupation". Furthermore, his claim also begs the question as to why the United Nations Peacekeeping Force in Cyprus (UNFICYP) was deployed to the island in 1964, 10 years before the Turkish intervention in 1974. The answer would be to stop the mass murder of the Turkish Cypriots by the Greek Cypriot militia. This period is a deep scar in the history of Cyprus, to which the Greek Cypriot representatives continuously and conveniently fail to make any single reference.

It is a well-documented fact that unlike the Greek Cypriot false assertion, the Cyprus question did not arise overnight on 20 July 1974, but is the result of a long history of events perpetuated by the Greek Cypriots in order to annex the island to Greece (enosis). Following the destruction, in December 1963, of the 1960 Republic of Cyprus and the ejection, by force of arms, of the Turkish Cypriots from the partnership government, the Turkish Cypriot people endured the agonies and losses caused by the Greek Cypriot armed attacks, were confined to small enclaves and subjected to gross human rights violations for 11 years. Thousands of Turkish Cypriot civilians lost their lives, were maimed or wounded and hundreds more went missing under the 11-year Greek Cypriot oppression.

It is, in fact, true that there is an occupation in Cyprus, but this is the 44-year-old usurpation and continued occupation of the seat of government of the partnership Republic of Cyprus by the Greek Cypriot side. The Turkish intervention in Cyprus, carried out in accordance with its rights and obligations emanating from the 1960 Treaty of Guarantee, was fully legal and legitimate under the said Treaty. Turkish troops are in Cyprus under legal obligation to keep peace pending a solution and the Turkish military presence on the island is a vital security requirement for the Turkish Cypriot people, particularly in the absence of a comprehensive settlement. The Greek Cypriot representative conveniently chose to overlook the fact that it was the Greek Cypriots who rejected the United Nations Comprehensive Settlement Plan (also known as the Annan plan) which had, inter alia, effectively addressed this issue.

Furthermore, contrary to the Greek Cypriot representative's ridiculous assertion, it is a well-documented fact that the Turkish policy on Cyprus has always been in favour of a fair settlement through negotiations, under the auspices of the United Nations. As also recorded by your predecessor (S/2004/437), Turkey has been more than forthcoming in not only cooperating to develop a solution in

Cyprus, but also in strongly encouraging the Turkish Cypriot side to opt for the approval of the Comprehensive Settlement Plan, which was described again by your predecessor as the only choice as opposed to no settlement.

I want to put on record, once again, that the rejection of the Comprehensive Settlement Plan by 76 per cent at the Greek Cypriot referendum demonstrated that the Greek Cypriot leadership is not and has never been ready to enter into a power-sharing arrangement with the Turkish Cypriots. Instead, it chooses to continue to enjoy the benefits of the usurped title of the "Republic of Cyprus" and its unilateral European Union membership.

It is a well-known fact that the Annan plan was the result of four and a half years of negotiations and that it evolved on the basis of the settlement parameters that have come about in almost four decades of negotiations. Referring to the plan, which enjoyed the open support of the international community in its entirety, as "a flawed plan" is an insult to the good-willed efforts of all who contributed to this painstaking effort to help bring about a comprehensive settlement to the Cyprus problem.

At this point, I also would like to draw your attention to the fact that the Greek Cypriot representatives, who are very keen on making references to Security Council resolutions, particularly to 186 (1964), 541 (1983) and 550 (1984), which are respectively 43, 24 and 23 years old, conveniently and consistently refrain from referring to more recent Council resolutions, such as resolution 1475 (2003), in which the Council stated that it fully supports the "carefully balanced plan of 26 February 2003 as a unique basis for further negotiations, and calls on all concerned to negotiate within the framework of the Secretary-General's Good Offices, using the plan to reach a comprehensive settlement as set forth in paragraphs 144-151 of the Secretary-General's report". It is all the more interesting and meaningful to discover that in the book published by the "Foreign Ministry of the Republic of Cyprus" in 2006, which contains "all" Security Council resolutions on Cyprus, one resolution was somehow left out and this happened to be 1475 (2003). Apparently, they do not believe in the virtue of intellectual honesty.

The reference to the free will of the Turkish Cypriot people, expressed in the referendum as a "risk free" and "tactically guided vote" is, to say the least, provocative and disrespectful. As to this allegation, first of all, I would like to quote the Spokesman of the Secretary-General on the outcome of the referendums in Cyprus (S/2004/437, see annex III).

"The Secretary-General applauds the Turkish Cypriots, who approved the plan notwithstanding the significant sacrifices that it entailed for many of them. He regrets that the Turkish Cypriots will not equally enjoy the benefits of EU membership as of 1 May 2004, but he hopes that ways will be found to ease the plight in which the people find themselves through no fault of their own."

"Together with a broad cross-section of the international community, the Secretary-General remains convinced that the settlement plan put to the two sides in today's referenda represents a fair, viable and carefully balanced compromise — one that conforms with the long-agreed parameters for a solution and with the Security Council's vision for a settlement, and meets the minimum requirements of all concerned."

Furthermore, the fact which took the Turkish Cypriot people to the streets many times in tens of thousands in 2003 and 2004 and brought about a leadership, government, and as a result, policy change in favour of a settlement, stands witness to the sincerity of the hard-earned Turkish Cypriot "yes" vote. The Greek Cypriot leadership, who demands respect for the Greek Cypriot "no" vote on the Annan plan, which indeed prevented the settlement, is naturally expected to show at least the same respect for the Turkish Cypriot "yes" vote. Otherwise, one might suggest that it was indeed the Greek Cypriot "no" vote that was "risk free" and "tactically guided" as the Greek Cypriot leader Mr. Papadopoulos made abundantly clear in his televised address to the Greek Cypriot people on 7 April 2004, when he demanded a "resounding no" to the Annan plan from the Greek Cypriots on the eve of the referendum. In his address, he stated, inter alia, that "Logically, the following question is asked: What will be the consequences if the people (Greek Cypriots) vote no at the referendum? If the sovereign people with their vote reject the plan, within a week the Republic of Cyprus will become a full and equal EU member. We will achieve a strategic goal that we have jointly set to upgrade and politically armour the Republic of Cyprus. This target will be achieved".

As to the Greek Cypriot representative's rhetoric on resolution 186 (1964), 541 (1983), and 550 (1984), I would like to state that we support and share the views conveyed by the Permanent Representative of Turkey, in his letter addressed to you dated 27 April 2007 and circulated as a document of the General Assembly and of the Security Council (A/61/885-S/2007/246).

As for the allegation regarding the remarks of President Talat in an interview given to Bayrak television on 1 May 2007, it is regrettable that in a lengthy interview the sentences of the President were carefully hand-picked in a manner distorting the main thrust of the interview. The efforts of the Greek Cypriot leadership to portray President Talat as a leader opposed to a solution are not new. The aim here obviously is to dent President Talat's well-established reputation as the pro-solution leader in the island, who courageously supported the Annan plan and managed to secure an overwhelming "yes" vote from the Turkish Cypriot people against all odds. The Greek Cypriot leader, Papadopoulos, on the other hand is known for his maximalist and uncompromising policies vis-à-vis the Cyprus problem as corroborated by his stance during the referendums on the Annan plan and the policies he pursued thereafter. Naturally, such ill-conceived and ill-founded efforts should not be expected to change the internationally well-known reality as to which leader is for a settlement in the island and which is against.

The Turkish Cypriot side, for its part, has certainly proved its dedication to resolve the Cyprus problem on the basis of a new partnership, political equality and power sharing, and our firm conviction in this regard remains unchanged. As for the Greek Cypriot side, if it truly desires such a settlement, it is high time that this is expressed not only in words but also in concrete actions.

It is dismaying that the Greek Cypriot leadership continues to deny even the existence of the isolations imposed upon the Turkish Cypriot people and refer to them as a "myth", at a time when it is expected to stop blocking international efforts towards lifting the isolations. In this context, the Greek Cypriot representative should be reminded of your predecessor's report dated 28 May 2004, the decision taken by the European Council on 26 April 2004, subsequent European Parliament resolutions, the Council of Europe resolution dated 29 April 2004 and many

statements made by foreign dignitaries, all calling for the lifting of the isolations on the Turkish Cypriot people. Moreover, in your latest report on UNFICYP dated 4 June 2007, you stated that you stand by the report of your predecessor and referred to the issue of lifting the isolations. It is ironic that on the issue of lifting the isolations upon the Turkish Cypriot people, the Greek Cypriot leadership, who claims that this is a myth and attempts to block every attempt in this direction, is the one who in this respect is "isolated" from the rest of the international community.

I would like to reiterate our firm commitment for the comprehensive settlement of the Cyprus problem without further delay under your good offices mission and on the basis of the United Nations Settlement Plan.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(Signed) M. Kemal Gökçeri
Representative
Turkish Republic of Northern Cyprus

**General Assembly
Security Council**

Distr.: General
9 July 2007

Original: English

**General Assembly
Sixty-first session
Agenda item 16
The situation in Afghanistan**

**Security Council
Sixty-second year**

**Identical letters dated 6 July 2007 from the Permanent
Representative of Italy to the United Nations addressed to the
Secretary-General and the President of the Security Council**

As anticipated in paragraph 13 of Security Council resolution 1746 (2007), an international conference on rule of law in Afghanistan was held in Rome on 2 and 3 July 2007. It was co-chaired by the Government of Afghanistan, the Government of Italy and the Secretary-General of the United Nations. The Conference agreed on measures to enhance Afghan and international commitment to justice sector reform.

I have the honour to attach a copy of the conclusions of the Chairs and the joint recommendations adopted by the Conference (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 16, and of the Security Council.

(Signed) Ambassador Marcello Spatafora



Annex to the letter dated 6 July 2007 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General and the President of the Security Council

Final

Rome Conference on Justice and Rule of Law in Afghanistan

2 and 3 July 2007

Conclusions of the Chairs

On 2 and 3 July the Government of Afghanistan, the Government of Italy and the United Nations co-hosted a Ministerial level International Conference of the Rule of Law in Afghanistan.

The Conference has reaffirmed the crucial importance of the reform of justice and the implementation of the rule of law for the reconstruction of Afghanistan, recognizing that without justice and the rule of law no sustainable security, stabilization, economic development and human rights can be achieved.

The Conference has commended the Afghan Government for the efforts and the progress made, while at the same time recognizing that the implementation of the rule of law, while striving towards international standards and respect for human rights as stated in the Afghan Constitution, requires a long-term commitment, consistent with Afghan needs and context, and structured investment.

Within the framework of the Afghanistan Compact, the vision of "Justice for all" and the Afghanistan National Development Strategy, the Government has committed itself to finalize a national justice sector strategy and to implement a comprehensive rule of law reform with the assistance of the international community that has pledged significant support.

The Conference has agreed that the rule of law reform and the coordinated support by the International Community will be implemented through a national Justice Programme, including short-, mid- and long-term implementation and a mechanism for review, to be funded in significant part through the ARTF, and has invited the World Bank together with other international organizations to assist the Government in the development of the National Justice Programme.

Donors at the Conference confirmed their previous and continuous commitment to the reform of the Justice and Rule of Law sector. In addition they have made new pledges for a total amount in the range of about 360 million dollars (some of which are multi-year pledges) to support short-term projects and will consider to commit further funds to implement the National Justice Programme. They have committed themselves to a coordinated approach at central level and at provincial level through the establishment of a Provincial Justice Coordination Mechanism.

The Conference agreed on the establishment of an Afghan-led effective and comprehensive monitoring and evaluation system for the justice sector linked to the ANDS/JCMB Secretariat.

Finally, the Conference agreed on the next steps as foreseen by the Conference Joint Recommendations, including the elaboration, by October 2007, of a Justice Sector Strategy followed by the National Justice Programme supported by an implementation plan by the Government and donors to be developed within the ANDS process that will be presented in a meeting in Kabul, in order to link the programmes with the commitments expressed and the recommendations adopted in Rome. The programme will be finalized and made operational soon after the Rome Conference, in collaboration with the Afghan Ministry of Finance, with the assistance of the World bank and the donor community.

Joint recommendations

The Participants to the Rome Conference on Justice and Rule of Law recommend that the following goals, underlying principles and key actions form the basis of the conclusions of the Conference:

Key goals

Recalling the framework for the rule of law and justice reform provided by the Afghanistan Compact and its benchmarks, based on the vision of "Justice for All" and within the overall framework of the Afghanistan National Development Strategy (ANDS):

The Government of the Islamic Republic of Afghanistan

Commits itself to finalize a national justice sector strategy and to implement comprehensive rule of law reform with the assistance of the International Community through a national justice programme.

The donors and the international community

Pledge significantly to increase coordinated support for rule of law reform in Afghanistan, based on the national justice programme put forward by the Government of the Islamic Republic of Afghanistan.

Shared principles

The above-mentioned goals are based on the following underlying principles that the Government of Afghanistan and the representatives of the International Community share:

- Establishing effective rule of law throughout Afghanistan will require long-term commitment as well as planned and structured financial investment encouraging sustainable institutional development.
- Rule of law programming should be based on reasonable expectations and should be consistent with Afghan needs and realities.
- Rule of law funding mechanisms should be consistent with the Paris Declaration on Aid Effectiveness and the Afghanistan Compact and make use — as much as possible — of country systems, particularly the national budget.
- The effectiveness and sustainability of rule of law reforms require improving the credibility, integrity and professionalism of the justice institutions through the establishment of professional standards, codes of conduct using an objective and transparent accountability mechanism.
- Credible rule of law initiatives embrace and engage Afghan legal context, culture, customs and the Islamic foundation of the legal system of Afghanistan.
- Rule of law reform should strive towards international standards and strengthen respect for human rights as provided for in the Afghan Constitution.
- Targeted, standardized and defined monitoring and evaluation are essential in maintaining focus and direction in rule of law reform.

Key actions

As concrete steps towards the achievement of the above-mentioned key goals, the Government of the Islamic Republic of Afghanistan and the International Community:

- (i) *Agree on the priorities for the Justice Sector reform as defined by the Afghan Justice Institutions* and presented in Rome in the Government's Justice Sector Priorities.
- (ii) *Establish a comprehensive National Justice Programme* under the leadership of the Supreme Court, the Ministry of Justice and the Attorney General's Office on the basis of the strategies presented at the Conference. The National Justice Programme shall be comprehensive and credible, including specific plans for short-, mid- and long-term implementation and a mechanism for review.
- (iii) *Decide to establish a mechanism for pooled donor funding and management for the National Justice Programme*, along with bilateral assistance. In this regard, the Conference invites the World Bank together with other international organizations to assist the Government in the development of the National Justice Programme, by suggesting a design for the funding mechanism and upgrading the financial management capacity of the justice institutions. The Conference notes that a mechanism financed under the ARTF structure shows the most potential in this regard.
- (iv) *Endorse a Donor Implementation land including*
 - a. *Pledging of immediate support* based on concrete and prioritized short-term projects submitted by the Government of the Islamic Republic of Afghanistan to the Rome Conference;
 - b. *Pledging of long-term support and commitment to long-term and coordinated funding* for the National Justice Programme, to be finalized in the framework of the ANDS and as a follow-up to the Rome Conference by March 2008;
 - c. *Establishment of a Provincial Justice Coordination Mechanism*, to enhance coordination of assistance to the justice sector and rule of law reform in the provinces. The programming for the justice sector reform in the provinces is to be done in line with the overall strategy, while the mandate for the Provincial Justice Coordination Mechanism (PJCM) is detailed in a planning document submitted for the consideration of the Rome Conference.
- (v) *Establish an Afghan-led effective and comprehensive monitoring and evaluation system for the justice sector* under the ANDS Secretariat and the JCMB. Details of the monitoring mechanism are provided in the planning document submitted for the consideration of the Rome Conference.
- (vi) *Launch a process to assist the Government of Afghanistan to effectively link coordinated donor support to the National Justice Programme*. The steps following the Rome Conference will include the following actions:

- a. *At Rome (July 2007)* — Presentation of a brief donor support plan and pledging for a preliminary list of key projects for the Supreme Court, Ministry of Justice and Attorney General's Office to be funded through immediate support.
 - b. *Immediately after Rome (August-September 2007)* — Elaboration of a comprehensive and credible National Justice Programme that links the Supreme Court, Ministry of Justice and Attorney General's Office ANDS Strategies and is funded through a coordinated donor mechanism.
 - c. *Kabul meeting for the presentation of the National Justice Programme (October 2007)* — the Rome Conference creates a momentum of rule of law reform through commitments and pledging which are to be supported through a steady process of elaboration of the National Justice Programme that is Afghan-led and builds on the ANDS process. In the aftermath of Rome a meeting will take place in Kabul to link the presentation of a comprehensive National Justice Programme with the priorities defined by national institutions and the commitments expressed in Rome;
 - d. *Subsequent Meetings (November to March 2008)* — By March 2008 and under the ANDS Secretariat and in close collaboration with the Ministry of Finance, with the assistance of the World Bank and the donor community the National Justice Programme will be established and the donor commitment defined in relation to the modalities and management of funding mechanism selected for the Programme's implementation.
- (vii) Agree to implement the recommendations produced by the panels and the other working sessions, which have taken place at the Roman Conference on Rule of Law on 2 and 3 July 2007.

Key issues and additional gaps

(a) Key issues common to the three justice institutions' strategies that need to be addressed at BOTH national and provincial levels:

- Salary support: there is a need for pay and performance reform for justice officials to improve performance, mitigate corruption and ensure professional qualification.
- Infrastructure and office equipment: Subject to survey of essential work to be targeted.
- Transportation: Subject to survey of essential work to be targeted.
- Operating costs need to be financed to improve performance of justice institutions
- Capacity-building and training: Establishment of formal qualification and continuing professional development requirements
- Information management and human resource management to be established

- Codes of Ethics and oversight mechanisms to be established for all legal professionals
- Financial management. The justice sector is currently characterized by inadequate budgets and low budget execution rates, mostly due to serious capacity constraints in this area.
- Public awareness: There is a need to develop tools and instrument which ensure access at all levels of society, in particular when the target of legal education is the wider public. Different media tools should be discussed.

(b) Additional and thematic gaps and challenges emerged from the Institutional Strategies:

Legislative process

- Address the capacity-building and resource needs of the Taqnin
- Improve legal translation capacity of the Government's Agencies
- Provide library and research capabilities to the drafters
- Improve the quality of legislative process
- Improve public awareness of legal rights and responsibilities

Institutional strategies and coordination

- Improve data collection, monitoring and information management
- Establishment of compatible computerized and database systems
- Establish reliable storage and retrieval of court records
- Encourage better computerization of laws and jurisprudence
- Promote cooperation between AGO and MOI/Afghan National Police
- Ensure coordination among all Justice Institutions
- Establish oversight mechanisms on the National Directorate of Security (NDS)
- Develop coordinated public awareness campaigns
- General lack of focus and training on civil law issues particularly property law
- Efforts should be made to bring Afghan administrative law in line with Afghan constitutional principles as well as international standards, by reinforcing the general administrative law frameworks and judicial oversight; other non-judicial accountability mechanisms could be considered.
- Set the foundations for international judicial cooperation capabilities

Capacity-building, legal education and training

- Legal education should be combined with an obligation of ongoing professional development for practitioners;
- Develop the capacity of the National Legal Training Center "NLTC";
- Capacity constraints in planning, budgeting and financial management;

- Establish General training principles and standards;
- Enhance Professional staff quality;
- Administrative and support staff quality; and
- Support the Law and Sharia faculty of higher education institutions.

Legal aid, access to justice and human rights

- Expansion of legal aid services throughout the country;
- Women's access to justice, particularly concrete alternatives to detention for women in conflict with justice;
- Land and property rights, specifically the need for an effective system of registration and dispute resolution;
- Address issues of detention, due process, accountability, transparency of the justice system and law enforcement agencies, including the National Directorate of Security (NDS);
- Transitional justice;
- Relation between formal and informal justice and the development of a national policy on the informal justice system.

Cross-cutting issues

- Counter-narcotics
 - Anti-corruption
 - Gender mainstreaming
 - Monitoring and evaluation
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